

Thor Y. Urness -- Selected Trademark Litigation Engagements

(Clients represented in *italics*; forum and date in parentheses; nature of case follows, with disposition)

ASD.com, Inc. v. Family Education Company, Inc., No. 3:00-cv-00140 (M.D. Tenn. 2000), domain name, trademark, cyberpiracy, settlement

Computers for Education, Inc. v. Automated Design Systems, Inc., No. 3:96-cv-00942 (M.D. Tenn. 1996), domain name, trademark, settlement

Computers for Education, Inc. v. Dodson, No. 3:99-cv-01083 (M.D. Tenn. 1999), unauthorized bulk e-mail advertising (“spam”), trademark, consent judgment in favor of client

Computers for Education, Inc. v. WeKruz Productions, Inc., (T.T.A.B.), service mark opposition, settlement

ComputeRx Pharmacy, Inc. v. Green Hills Health & Wellness Pharmacy, Inc. and Network Solutions, Inc., No. 3:00-cv-137 (JBA) (D. Conn. 2000), domain name, trademark, cyberpiracy, settlement

Connie Elder International, LLC v. Andra Group, LLC, No. 3:07-cv-1181 (M.D. Tenn. 2007), trademark, keyword advertising, false advertising, settled

CTRL Systems, Inc. v. Ultraphonics of North America, (T.T.A.B.), trademark, opposition proceeding, dismissed in favor of client

Dolgencorp, Inc. et al. v. Big Lots, Inc., No. 3:01-cv-01533, (M.D. Tenn. 2001), trademark, settlement

Durango Licensing Inc. v. Georgia Boot Inc., (T.T.A.B.), trademark, opposition proceeding, settlement

Energy Investments, Inc. v. SF Hotel Company, L.P., (T.T.A.B.), service mark, opposition proceeding, settlement

Energy Investments, Inc. v. SF Hotel Company, L.P., No. 97-1005-cv-ORL-19B (M.D. Fla. 1997), service mark, trial, jury verdict for client, injunction entered

Exxon Mobil Corporation et al. v. Stanton Oil Company, Inc., No. 4:07-cv-00007 (E.D. Tenn. 2007), trademark, trade dress, settled

Genesco Inc. v. J&M Sportswear, Inc., No. 3-95-cv-00795 (M.D. Tenn. 1995), trademark, settlement

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Gibson Guitar Corp. v. Westheimer Corp., No. 3:95-cv-01022 (M.D. Tenn. 1995), trademark, trade dress, settlement

Gibson Guitar Corp. v. Kimex Trading Co., Ltd., No. 3:97-cv-01087 (M.D. Tenn. 1997), trademark, settlement

Gibson Guitar Corp. v. Rzenick et al. [Goo Goo Dolls], No. 3:97-cv-01004 (M.D. Tenn. 1997), trademark, use of name and likeness, settlement

Gibson Guitar Corp. v. Rich & Taylor, Inc. et al., No. 3:94-cv-00210 (M.D. Tenn. 1994), trademark, trade dress, settlement

Gibson Guitar Corp. v. Brian Moore Guitars, Inc., No. 3:96-cv-00436 (M.D. Tenn. 1996), trademark, trade dress, settlement

Gibson Guitar Corp. v. ESP Co., No. 3:99-cv-00367 (M.D. Tenn. 1999), trademark, settlement

G.A. Modefine, S.A. [Giorgio Armani] v. The Men's Wearhouse, Inc., No. 3:94-cv-00833 (M.D. Tenn. 1994), trademark, grey goods case, settlement

GML, Inc. v. The Walt Disney Company and Hollywood Records, Inc., No. 3:91-cv-00258 (M.D. Tenn. 1991), trademark, settlement

GodSpeaks, Inc. v. Multi-Marketing, Inc. d/b/a Messiah's Messengers and Swan-Son, Inc., No. 3:00-cv-00344 (M.D. Tenn. 2000), copyright, trademark, settlement

Healthcare Ventures v. Health Inventures, No. 3:04-cv-01072 (M.D. Tenn. 2004), trademark, settlement

HearingPlanet, Inc. v. Shiels et al., No. 3:03-cv-00287 (M.D. Tenn. 2003), trademark, cyberpiracy, settlement

Jones Investment Co. v. Connie Elder International, (T.T.A.B. 2006), trademark opposition, pending

Journal Communications, Inc. v. William Sabo, Private Label Media Partners, LLC and Crye-Leike, Inc., No. 3:07-cv-00605 (M.D. Tenn. 2007), trademark, copyright, dismissed in favor of client

magazines.com Inc. v. CAT Internet Services, Inc., Internet Supply, Inc., Magazine Mall Inc. and The Electronic Newsstand, Inc., (Rutherford County Chancery Ct., Tenn.) (Tenn. Ct. App.), domain name, service mark, settlement

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MediaOne, Inc. v. U S West, Inc., No. 3:96-cv-00805 (M.D. Tenn. 1996), service mark, settlement

MediaOne, Inc. v. U S West, Inc., (T.T.A.B.), service mark opposition, settlement

MortgageAmerica, Inc. v. Mortgage Service America Co., No. 3:94-cv-00355 (M.D. Tenn. 1994), trademark, transferred to N.D. Cal.

Multimedia 2000, Inc. et al. v. Attard et al., No. 3:00-cv-01182 (M.D. Tenn. 2000) (6th Cir.), trademark, cyberpiracy, settled

North America Outdoors, Inc. v. Confluence Holdings Corp., No. 3:99-cv-01192 (M.D. Tenn. 1999), service mark, settlement

Oreck Manufacturing Company et al. v. David Acor et al., No. 1:06-cv-01232 (W.D. Tenn. 2006), trademark, settled

Outdoor Management Network, Inc. v. American Outdoors Association, No. C97-5205 (W.D. Wash. 1997), domain name, collective membership mark, settlement

SF Hotel Company, L.P. v. ShoLodge, Inc., No. 96-835-CIV-T-25E (M.D. Fla. 1996) (11th Cir.), service mark, trade dress, jury verdict for client

Site Pro-1 Inc. v. Better Metal, LLC, No. 05-cv-6508 (E.D. N.Y. 2007), trademark, keyword advertising, dismissed in favor of client

Smith v. Whitehead, (T.T.A.B.), service mark opposition, ruling in favor of client

The Gideons International, Inc. v. Gideon 300 Ministries, Inc., 1999 U.S. Dist. LEXIS 20044 (E.D. Pa. 1999), trademark, bench trial, 73-page findings of fact, conclusions of law, judgment and injunction for client

The Men's Wearhouse, Inc. et al. v. Better Men's Wearhouse et al., No. 3-01-cv-01439 (M.D. Tenn. 2001), trademark, settlement

The Servicemaster Company et al. v. Virga, No. 99-2877-TUV (W.D. Tenn. 1999), trademark, use of plaintiff's marks on consumer website, settlement

Waggin' Train LLC v. Normerica Inc. and Northdown Industries, Inc., No. 1:09-cv-1093 (W.D. Tenn. 2009), false advertising, business torts, with false advertising counterclaims, settlement

The Walt Disney Company v. GML, Inc., (T.T.A.B.), trademark opposition, settlement

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The Walt Disney Company v. Great American Corp. et al., 28 U.S.P.Q.2d 1130 (M.D. Tenn. 1993), trademark, \$2.2 million judgment and injunction for client, including attorneys' fees of \$185,625

Wheel Service Equipment, Inc. v. Rels Manufacturing Corp., No. 3:96-cv-01024 (M.D. Tenn. 1996), trademark, settlement

Zander Insurance Agency, Inc. v. Mostchoice.com, Inc. et al., No. 3:07-0792 (M.D. Tenn. 2007), trademark, keyword advertising, settled as to all seven defendants, including multiple consent judgments and attorneys' fees from six of seven defendants